

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL L. PACK

Plaintiff

v.

*

* CIVIL ACTION NO. AMD-07-2003

BANK OF AMERICA, N.A.

Defendant

*

*

MEMORANDUM

In his pro se complaint, Michael Pack seeks \$50 million in damages based on claims for conspiracy, perjury and fraudulent imprisonment by the Bank of America for filing an affidavit against him which resulted in the entry of judgment in the bank's favor and against Pack. (Since 1995, Pack has filed more than seventy civil actions in this court.) The court will grant the motion to proceed in forma pauperis, and dismiss the case without prejudice pursuant to U.S.C. § 1915(e).

As plaintiff has been granted leave to proceed without the prepayment of filing fees, the court may screen his claims before service of process and dismiss the complaint *sua sponte* if it fails to state a claim upon which relief may be granted or is frivolous or malicious. *See id.* The court is mindful that plaintiff is a pro se litigant and has accorded the pleading liberal construction. *See Haines v. Kerner*. 404 U.S. 519, 520 (1972).

To bring a claim in federal court, a plaintiff must allege facts to support of a cognizable cause of action within the subject matter jurisdiction of the court. *See Weller v. Dep't of Social Services*, 901 F.2d 387, 390-91 (4th Cir.1990). Absent a sufficient factual predicate, the complaint cannot proceed. An order follows.

Date: July 31, 2007

/s/
Andre M. Davis
United States District Judge